

CITY OF LYNNWOOD

RESOLUTION NO. 2011-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE COUNCIL RULES OF PROCEDURE; AMENDING RESOLUTION NO. 2008-11.

WHEREAS, RCW 35A.12.120 authorizes the City Council to adopt rules of procedure, to establish an order of business and to provide for its organization and operation; and

WHEREAS, the City Council determined that adoption of procedures and an order of business for Council meetings would expedite the conduct of Council and City business; and

WHEREAS, in Resolution No. 2008-11, the City Council adopted rules of procedure for the conduct of the Council's meetings; and

WHEREAS, at the April 11, 2011 City Council meeting, the Council passed a motion to amend the Council rules relating to Council Work Committees; and

WHEREAS, the City Council has determined that additional amendments to the Council Rules will enable the Council to accomplish the City's business in a more effective and efficient manner;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD RESOLVES AS FOLLOWS:

Section 1. Section 2 of Resolution No. 2008-11, relating to Rules of Procedure of the City Council of the City of Lynnwood, is amended to read as follows:

Part I: General provisions

Rule 1. General Rules of Procedure

- A. All meetings of the City Council shall be conducted according to the most current edition of Robert's Rules of Order Newly Revised; provided that Robert's Rules shall be superseded to the extent they conflict with state law, local ordinances or resolutions, or these rules. The suspension of any special rule set forth herein as permitted by Robert's Rules shall not be considered a conflict with these rules.
- B. The City Attorney shall serve as parliamentarian and shall advise the Presiding Officer regarding questions concerning procedures and application of Robert's Rules and these rules.

- C. All questions of order shall be decided by the Presiding Officer of the Council with the right of appeal to the Council by any member. Any decisions made by the Presiding Officer may be overruled by a majority vote of the Council.

Rule 2. Meeting Location & Time

The City Council shall meet as provided in Chapter 2.04 LMC.

Rule 3. Meetings Open to the Public

All meetings of the City Council shall be open to the public, except for executive sessions authorized by Chapter 42.30 RCW.

Rule 4. Election of Officers

- A. The Council shall elect a Council President to serve at the pleasure of the Council,¹ who shall serve as Mayor Pro-Tem in the absence of the Mayor. The duties and responsibilities of the Council President shall be determined by the Council.
- B. The Council shall elect a Council Vice-President to serve at the pleasure of the Council, who shall serve as Mayor Pro-Tem in the absence of the Mayor and the Council President. The Council Vice-President shall perform such other duties as the Council President may direct.

Rule 5. Presiding Officer

- A. All meetings of the City Council shall be presided over by the Mayor or, in the Mayor's absence, by the Mayor Pro-tem. If neither the Mayor nor the Mayor Pro-tem are present at a meeting, a majority of the Councilmembers present shall elect a temporary Presiding Officer. Service as Presiding Officer shall not abridge a councilmember's right to vote upon all questions coming before the Council.
- B. The Presiding Officer shall conduct meetings of the Council in accordance with the law, Robert's Rules, and these rules. The Presiding Officer shall state all questions coming before the Council and announce the decision of the Council on all subjects.

¹ LMC 2.11.010 provides

Annually at the first meeting of a new Council, or periodically, the members thereof by majority vote may designate one of their numbers as Council President for such period as the Council may specify. The Council President shall hold office at the pleasure of the Council, and in the case of the absence or temporary disability of the Mayor, perform the duties of Mayor as Mayor Pro Tempore, except she/he shall not have power to appoint or remove any officer, or to veto any acts of the City Council. (Ord. 2298, 2000)

- C. The Presiding Officer shall confine debate to the question under discussion, preserve order and decorum and prevent personal attacks or attacks upon a member's motives.

Rule 6. Quorum

The presence of a majority of the full Council shall constitute a quorum for the purpose of transacting business.

Rule 7. Special Council Meetings - Call & Notice - Limitation

The Mayor, or any four (4) members of the Council, may call for a special meeting by providing written notice specifying the subject of the meeting to each Councilmember and the Mayor at least twenty-four (24) hours before the time specified for the proposed meeting, except as otherwise provided by law. At a special meeting final action may be taken only on matters set out in the notice calling the meeting and on no other matters.

Rule 8. Council Meetings - Business & Work Session

Regular business and work session meetings of the Council shall be held as provided in LMC 2.04.030. The third Wednesday work sessions shall be the preferred meeting time for presentations to the Council and to workgroups by individuals, agencies or groups that are not affiliated with the City.

Rule 9. Council Meetings - Agendas & Order of Business

- A. The Council President, in consultation with the Mayor and other Councilmembers, shall set the agenda for all Council meetings.
- B. The order of business for a regular business meeting shall be as follows:

10. Call to Order and Flag Salute

The Mayor shall call the meeting to order and then rotate the flag salute among the Councilmembers unless an individual has been invited to lead the flag salute by the Mayor.

20. Roll Call

30. Approval of Minutes

Minutes shall record what actually occurred at a meeting. Minutes may be amended only to conform them to what actually occurred. A written copy of corrections proposed at a business meeting shall be provided to the Council President. A Councilmember may correct misstatements, amplify or modify remarks made at a meeting at a subsequent meeting and such

correction, amplification or modification shall be recorded in the minutes of the subsequent meeting. Prepared written statements that are read into the record shall not be attached to the minutes, except upon the request of the speaker.

40. Messages and Papers from the Mayor

The Mayor may bring forward any matters deemed necessary to share with the Council and/or public. The Mayor may report on topics of interest to the Council as a whole, and may include a calendar of events, upcoming or on-going programs or projects, and other reports of a general nature. The Mayor's comments shall be limited to two (2) minutes, unless approval for more time is granted in advance by the Council President.

50. Citizen Comments and Communications

- A. The Presiding Officer shall announce that all persons who wish to be heard shall be heard, on any topic pertaining to the city, except a topic scheduled for public hearing. When appropriate, the Presiding Officer may defer public comment on a topic on the agenda to the time Council takes up the matter.
- B. Before the Council takes up a matter on the agenda, the Presiding Officer shall inquire whether anyone present wishes to be heard on the agenda item. The Presiding Officer shall remind all citizens of: (1) the requirement that each speaker state their name, address (unless excused) and the subject matter of their comments before speaking; and (2) that all statements and testimony are being recorded.
- C. In all cases, citizens "signing-in" will be recognized first, and then those who seek recognition from the audience will be recognized.
- D. An individual citizen's comments shall be limited to three (3) minutes, with no exceptions. A person providing comments on behalf of a group or organization shall be limited to five (5) minutes, with no exceptions. The Council Assistant shall monitor the comment time and use a bell or other device to communicate when the allotted time has been completed.
- E. All remarks by citizens shall be addressed to the Council as a whole. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive, while addressing the Council will be requested by the Presiding Officer to leave the meeting.

- F. If a citizen makes a specific request for Council action, the Presiding Officer shall inform the citizen that he or she must secure the support of a Councilmember to serve as a sponsor for the proposed legislation or other Council action. The sponsoring Councilmember must secure the support of a second Councilmember before the item can be scheduled for a work session.
- G. Information will be available to the public at each meeting summarizing these rules of procedure, including those concerning public hearings.

60. Council Comments and Announcements

Council comments provide an opportunity for Councilmembers to report on significant activities since the last regular meeting, to inquire on matters of general business, or to initiate investigation or action on a matter of concern. A Councilmember's comments shall be limited to two (2) minutes, unless approval for more time is granted in advance by the Council President. Any request to the Administration that will require substantial staff work or additional expense needs the support of no less than two Councilmembers.

70. Presentations and Proclamations

A proclamation by the Mayor and/or Council is defined as an official declaration recognizing or promoting city-wide or special activities in the City. Presentations are to include awards, plaques, certificates, grants, recognition or other items or things, given to the public, to staff, to the Council, to Councilmembers, or the "city" as a whole. Presentations and proclamations shall be limited to five (5) minutes each, with a maximum of two (2) presentations and proclamations per business meeting.

80. Written Communications and Petitions

The Mayor shall ask whether any written communications or petitions have been received by the city or whether any person wishes to present written communications or petitions.

90. Business Items and Other Matters

90.1 Unanimous Consent Agenda

- A. The Council President, in consultation with the Mayor and other Councilmembers, shall place on this calendar matters that:

1. Have been previously discussed by the Council; or
2. Have been the subject of a memo previously included in the council packet which does not need further explanation; or
3. Are routine in nature and adoption is likely; or
4. Have been scheduled by the Council.

B. Items on the Unanimous Consent Calendar shall be adopted by a non-debatable motion. Before requesting a motion to adopt the Unanimous Consent Calendar the Presiding Officer shall ask if any Councilmember wishes to have an item removed from the calendar.

C. Items removed by request shall be considered immediately after the Consent Agenda, as modified, is approved, before the next agenda item is considered. A Councilmember requesting that the item be heard later on the agenda shall present specific reasons for the request and identify where and when on the agenda the item should be considered.

D. The Councilmember making the motion to adopt the Unanimous Consent Agenda shall read each matter on the calendar. After the motion is made, the Presiding Officer shall ask for unanimous consent to adopt the calendar as read, and

1. If no objection is made, the Presiding Officer shall state, in substance, that the Consent Agenda is adopted.
2. If an objection is made, the Presiding Officer shall ask the member making the objection to identify the objectionable item(s) and each item shall be removed from the motion and placed later on the agenda under "100 New Business."
3. The Presiding Officer shall identify the items removed from the Unanimous Consent Agenda, and then ask if there is objection to adoption of the amended Unanimous Consent Agenda. This process shall be repeated until there is no objection or until no items remain on the Unanimous Consent Agenda.

90.2 Public Hearings & Quasi Judicial Proceeding

- A. Resolution 96-7 shall govern the conduct of public meetings and quasi judicial proceedings.
- B. The Presiding Officer shall announce the procedures and sequence of steps of a public hearing or a quasi judicial hearing at the beginning of each hearing.

90.3 Unfinished Business

90.4 Other Business Items

A sponsor or spokesperson shall be recognized to initiate discussion of a business item.

100. New Business

A. Any Councilmember may, as provided in Rule 15 D, propose additional item(s) of new business. If the item of new business is to be considered, the Council President, in consultation with the Mayor and other Councilmembers, shall schedule the new business matter for consideration at a work session, unless a majority schedules the matter otherwise. (The Council may consider and take immediate action on an item of new business proposed by a Councilmember. See City Attorney Opinion, April 30, 2001.)

B. Any item of New Business not acted upon shall be held over to the next business meeting as "Unfinished Business" or, if time is not available, re-scheduled by the Council President, in consultation with the Mayor and other Councilmembers.

110. Adjournment

- A. The foregoing order of business is a guideline and shall not limit the authority of the Council to change the order or manner in which the Council may elect to proceed with its business.
- B. Recess: A meeting may be interrupted by the Presiding Officer or a majority of the Council for a recess for a stated period of time for any reason; provided that each meeting shall have at least one recess of 5 minutes near or after 8:30 p.m. A reminder of this provision shall be stated on each meeting agenda.
- C. Work Session Agenda: Each work session agenda shall contain three parts: (1) a main section listing the items for discussion; (2) a section listing memorandums

for action at the next regular business meeting; and (3) a section listing informational memorandums to the Council.

Rule 10. Guidelines for the Purposes and Uses of Work Sessions & Workshops

- A. The purpose of work sessions is for Councilmembers to discuss impending business, forthcoming programs or projects, or to receive information, and to allow informal discussions of items that might be acted upon.
- B. A work session may be conducted in the form of a workshop to allow Councilmembers to do concentrated preliminary work on a single subject which may be time consuming or complex, and allow informal discussion.
- C. The Administration may request and the Council may provide direction to staff at Council meetings or task group meetings. Councilmembers may adopt a scheduling motion, indicate a consensus, or give an expression of guidance or direction on any matter so long as such action does not give or imply final action on such matter. A Councilmember's support or opposition to the action shall not be construed as limiting that member's full and complete consideration and vote on the matter, if and when, it comes before the City Council for "final action."
- D. Under no circumstances shall any "final action" (as defined in Chapter 42.30 RCW) be taken at any work session or work shop; provided, that the Council may take action authorized by LMC 2.04.040.

Part II: Legislative Process, Debate, Decorum, Duties & Privileges of Members

Rule 11. Forms of Address

The Mayor shall be addressed as "Mayor (surname)", "Your Honor" or "Mayor." The Council President, when acting for the Mayor, shall be addressed as "Council President (surname)." Members of the Council shall be addressed as "Councilmember (surname)."

Rule 12. Proposed Drafts - Ordinances, Resolutions and Motions

Ordinances, resolutions, and motions, may be proposed by the Administration or by Councilmembers. Such ordinances, resolutions, and motions may identify the originator(s) or sponsor(s) of the proposal. Ordinances shall be assigned a number upon a motion for final adoption.

Rule 13. Journal of Proceedings, Sponsors, Dissents & Protects

- A. The Finance Director as City Clerk shall keep a correct journal of all proceedings. At the request of any Councilmember a roll call vote shall be taken on any question and entered in the journal. The journal shall show the maker and the second of each motion.

- B. Any Councilmember shall have the right to express dissent from, or protest against, any ordinance or resolution of the Council and have the reason(s) therefore entered in the minutes. The member may prepare a brief written statement consistent with oral comments made during the council meeting and have them attached to proposed official meeting minutes.

Rule 14. Debate & Decorum

- A. No member shall speak more than once until all members seeking recognition have spoken.
- B. No person, not a member of the Council, shall be allowed to address the Council while in session without being recognized by the Presiding Officer.
- C. The Presiding Officer shall give recognition in the following order:
 - 1. To a person designated as a sponsor, co-sponsor(s), spokesperson or staff to introduce or give an initial presentation of an agenda item.
 - 2. To persons who sign-in to be heard on the item.
 - 3. To persons who seek recognition from the audience.

Rule 15. Motions

- A. A motion that does not receive a second dies; provided that nominations, withdrawal of an unamended motion, or a request for a roll call vote do not need a second.
- B. After a motion and second are made, the Presiding Officer shall identify the maker of the motion and the member who seconded the motion and state the motion before the Council.
- C. The maker of the motion shall be recognized first and entitled to speak last to close debate, whereupon the Presiding Officer shall close debate and proceed directly to vote on the matter.
- D. New motions proposing projects expected to involve significant Council or staff time shall be presented only during the New Business section of regularly scheduled business meetings or at a work session. The sponsor shall have two minutes to persuade at least two additional Councilmembers to proceed; otherwise, no action shall be taken. If the proposal is approved, the Councilmember making the proposal shall submit to the Council President a written description of the proposal. After the written description of the proposal has been submitted to the Council President, an approved item shall be scheduled

for discussion at a work session by the Council President, who shall make every effort to schedule the item within 45 days.

Rule 16. Voting Votes during a regular council business meeting shall be held as follows:

- A. Votes shall initially be by voice vote. If the Presiding Officer is in doubt, the Presiding Officer may call for a show of hands. Any Councilmember may supersede a voice vote by requesting a roll call vote.
- B. The order of a roll call vote shall be rotated on an alphabetical basis after each roll call vote.
- C. Each member present must vote on all questions put to the Council except as to matters in which such Councilmember has a prohibited personal financial interest, or is otherwise precluded by law. A Councilmember who is silent or "abstains" from voting shall be counted as a "nay" vote, unless that Councilmember is excused from voting.
- D. Councilmembers excused from voting on a question must excuse themselves by leaving the room before any hearings or discussion prior to the vote. (Only Councilmembers excused from voting on a question by their fellow members may leave the room and then return to participate in further council action and not have their absence counted as "nay" vote. See City Attorney Opinion, December 4, 2001.)
- E. In case of a tie vote, the Mayor may choose to: (1) cast a vote, "yea" or "nay"; or (2) not vote; provided, however, the Mayor shall not cast a vote if the matter to be decided involves:
 - 1. Adoption of any ordinance; or
 - 2. A resolution to spend money; or
 - 3. The granting or revocation of a franchise or a license; or
 - 4. Any motion for approval of vouchers, payments, claims or payroll.

Rule 17. Task Groups and Committee of the Whole

- A. Task Groups:
 - 1. The Council President, in consultation with the Council, may appoint an ad hoc task group as may be appropriate, to consider any matter that requires special study before the matter is reviewed by the Council. All appointments shall occur at a Council meeting. The Administration may request the creation of a task group.
 - 2. Each task group shall have a chairperson and at least two other members, who shall be appointed by the Council President after

consultation with the Council. Each task group shall have an assigned task and date for delivery of a written report to Council.

3. Authority and Responsibility of Task Group Chair: Each task group chair shall:
 - a. Schedule, set the agenda, determine a location and make other necessary arrangement for task group meetings.
 - b. Preside over the meeting and business of the task group.
 - c. Write up a report or explanation to accompany any action or recommendation of the task group and include both majority and minority reports.
 - d. Be the designated "manager" for each task group business item that comes before the full City Council, which includes "presenting the issue" to the Council in coordination with staff or other Councilmembers.
 - e. Advise, consult and cooperate with the Council President on scheduling meetings and action within the task group.
4. Under no circumstances shall any "final action" (as defined in Chapter 42.30 RCW) be taken at any task group meeting.
5. Consideration by City Council - Council President Authority: The Council President, in consultation with the Mayor and other Councilmembers, may schedule for "discussion purposes only" any item under consideration by task group at any regular full council meeting.
6. Consideration by City Council - Council Authority. A task group may be relieved of its responsibility by the Council. Thereafter, the Council may conduct deliberation, consideration, and take "final action" thereon, or otherwise make an appropriate disposition thereof.

Rule 18. Work Committees

- A. Defined: Work Committees are oversight, policy review and discussion arms of the Council. These committees may study issues, develop recommendations and conduct oversight of matters within their area of responsibility. Work Committee members may also conduct representative and liaison activities with internal and external bodies in the same general area of interest. Under no circumstances shall any "final action" (as defined in RCW 42.30) be taken at any work group meeting.
- B. Structure:

1. Each committee shall have three members.
 2. Committee members shall be appointed by the Council President in consultation with the council.
 3. The committee members at least annually shall elect a chair by majority vote of the committee members.
 4. The Council President shall serve as the designated alternate with full voting rights on both committees when a regular committee member is absent.
- C. Area of Responsibility: Each Committee will have set forth an “area of responsibility” for which the group will exercise oversight and consider policy and other matters, which include:
1. A list of city departments and internal and external advisory bodies, boards, commissions, etc.
 2. Multi-year plans and portions of the budget and comprehensive plans related to such departments.
- D. Authority and Responsibility of a Committee Chair: Each committee chair shall have the following authority and responsibility in conducting the deliberations and work of the group:
1. Schedule, set the agenda, determine a location and make other necessary arrangements for committee meetings.
 2. Preside over and conduct the meeting and business of the committee.
 3. Prepare, as needed, a report or explanation to accompany any action or recommendation of the committee and include both majority and minority reports.
 4. Be the designated “manager” for each committee business item that comes before the full City Council, which includes “presenting the issue” to the Council in coordination with staff or other Council Members.
 5. Advise, consult and cooperate with the Council President on scheduling meetings and action within the committee.

E. Scope of Work

1. Consider those items referred to the committee by the council, those items brought before the committee at the request of staff, and any item placed on the committee agenda by a majority vote of two committee members.
2. By majority vote of the committee, make recommendations to the full council for disposition of each item. Recommendations may include but are not limited to the following:
 - a. Move directly to a Business Meeting for deliberation and possible action by the full council with a 3-0 unanimous do pass recommendation
 - b. Refer to council president for scheduling at a work session
 - c. Continue the matter for future committee consideration

If a matter is referred to council for discussion and possible action without a unanimous opinion from the committee, at the request and subject to the authorship of the dissenting member(s), the committee chair shall include the dissenting report in the committee's monthly written report

F. Assigning Matters to Committee

1. By simple majority at any regular or special meeting, the council may refer a matter to committee.
2. The council president, in consultation with the Mayor and the committee chair may refer a matter to the committee.
3. Consideration by City Council – Council President Authority: The Council President, in consultation with the Mayor and other Council Members, shall have at his/her discretion authority to schedule for “discussion purposes only” at any regular full council meeting any item under consideration by a committee.

- G. Meetings Meetings of committees shall occur during the time set for Regular or special work sessions of the full Council or may occur at special meetings of the committee called by the committee chair, held with appropriate notice to the public and upon prior notification to the Council at a Council meeting. Under no circumstances shall any “final action” (as defined in RCW 42.30) be taken during committee sessions. The committee may at a meeting take all other action as set forth in LMC 2.04.040. Committee meetings shall only be held at City Hall. Additional meetings to gather information from the public may be scheduled by the committee chair in consultation with members of the committee and the Council President. Any such meeting of a committee shall be announced at a Council business meeting and shall, by agreement, be attended by no more than three Council Members.

Rule 19. Reconsideration

- A. Motions to reconsider any action must be made (1) by a member who voted with the prevailing position and (2) at the next succeeding regular business meeting of the Council (as defined by LMC 2.04.010). Before a vote may be taken on the reconsideration motion, the sponsor and maker of the motion shall state specifically the reasons for requiring reconsideration and shall also state specifically the portions or parts of the matter sought to be reconsidered. Upon passage of a motion for reconsideration, the subject matter is returned to the table anew for any action the Council deems advisable, provided that any deliberation shall occur at the business meeting following passage of the reconsideration motion, unless a majority of the Council schedules the reconsidered matter otherwise.
- B. No motion to reconsider an adopted quasi-judicial written decision shall be allowed after the close of the meeting at which the written findings and conclusions were adopted.

Rule 20. Audio and Video Recordings of Meetings

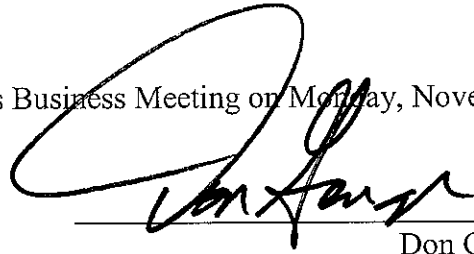
All regular business meeting and regular work sessions shall be recorded by audio and/or video devices, as scheduled by the Council President, or a majority of the Council.

Rule 21. Other General Provisions

- A. All proposals submitted to the Council shall have line numbers and page numbers printed on them, and if the proposal involves amending the existing language of another document, then the "strike through" and "underline" amendatory format shall be used for words being removed, or added, respectively.
- B. Except for good cause, staff shall not distribute handouts of written materials at a council meeting at which they are to be considered. Handouts from persons testifying at hearings or public meetings, or staff information provided in response to matters raised at a public hearing or public meeting, shall be accepted in accordance with rules applicable to those proceedings.

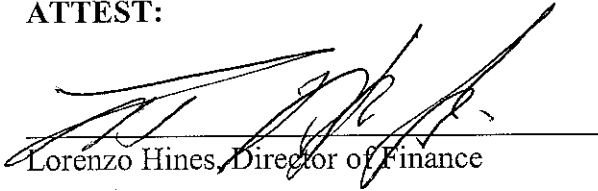
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APPROVED by the City Council at its Business Meeting on Monday, November 28, 2011.



Don Gough, Mayor

ATTEST:


Lorenzo Hines, Director of Finance

Filed with the City Clerk	11-23-2011
Approved by the City Council	11-28-2011
Resolution #	2011-16
Vote:	7-0.